

DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSING
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**BEFORE THE DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSING
OF THE DEPARTMENT OF COMMERCE
OF THE STATE OF UTAH**

IN THE MATTER OF THE LICENSE OF
THE ART OF FIXING, INC ,

**FINDINGS OF FACT,
CONCLUSIONS OF LAW,
AND ORDER**

TO PRACTICE AS A CONTRACTOR
IN THE STATE OF UTAH

Case No DOPL-2011-267

FINDINGS OF FACT

1 The Division of Occupational and Professional Licensing ("the Division") filed a Notice of Agency Action in this matter on the 24th day of August 2011

2 This action is based upon Division records as reflected in the Notice of Agency Action filed herein which show that The Art of Fixing, Inc (the "Respondent"), failed to demonstrate and maintain financial responsibility as required by Utah Code Annotated Section 58-55-306 and Subsection 58-55-502(1), and Utah Administrative Code Section R156-55a-306

3 Respondent has failed to respond to the Notice of Agency Action and, according to Division records, has failed to demonstrate and maintain financial responsibility as outlined above Which constitutes a basis to sanction Respondent's license pursuant to Utah Code Annotated Subsections 58-1-401(1) and (2)

CONCLUSIONS OF LAW

4 Respondent's failure to respond to the Notice of Agency Action constitutes a sufficient basis for entry of default against Respondent

5 The Notice of Agency Action and documents attached thereto provide a basis to conclude that Respondent has failed to demonstrate and maintain financial responsibility as required by Utah Code Annotated Section 58-55-306 and Subsection 58-55-502(1), and Utah Administrative Code Section R156-55a-306 Based on these violations, Respondent has engaged in unprofessional conduct as defined by Utah

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Code Annotated Subsection 58-1-501(2)(a), and Respondent no longer meets the qualification for licensure as provided by Utah Code Annotated Section 58-55-306

6 The Division is authorized to revoke Respondent's contractor license as provided by Utah Code Annotated Subsection 58-1-401(1) because Respondent no longer meets the qualifications for licensure as required by Utah Code Annotated Subsection 58-55-102(19)

7 The Division is authorized to revoke Respondent's contractor license as provided by Utah Code Annotated Subsection 58-1-401(2)(a), for engaging in unprofessional conduct, and as provided by Utah Code Annotated Subsection 58-1-501(2)(a), for failure to demonstrate and maintain financial responsibility as required by Utah Code Annotated Section 58-55-306

ORDER

WHEREFORE, IT IS ORDERED Respondent's default is hereby entered

WHEREFORE, IT IS ORDERED Respondent's license to practice as a contractor in this state shall be revoked, effective on the date this order is signed

On behalf of the Construction Services Commission and the Division of Occupational and Professional Licensing, I hereby certify that the foregoing Findings of Fact, Conclusions of Law, and Order were submitted to the Construction Services Commission and the Division on the 28th day of September 2011 for their review and action


Dan S Jones, Bureau Manager

ORDER

THE ABOVE FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER in the matter of **THE ART OF FIXING, INC.**, are hereby adopted by the Construction Services Commission of the State of Utah

DATED this 28 day of sep, 2011


CONSTRUCTION SERVICES COMMISSION
Representative

I concur with the above Order, which the Construction Services Commission has approved

DATED this 28 day of September, 2011

DIVISION OF OCCUPATIONAL AND
PROFESSIONAL LICENSING


MARK B STEINAGEL
Director

Pursuant to Utah Code Ann Subsection 63G-4-209(3), Respondent may seek to set aside the above-stated default order by filing such a request with the Division consistent with procedures outlined in the Utah Rules of Civil Procedure